



SOUTH CAROLINA STATE ACCIDENT FUND

Welcome



*South Carolina
State Accident Fund*



“Claims and Managed Care”

*Sonji Spann,
Team Leader/Claims Dir.*



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Frequently Asked Questions From Policyholders?





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FAQ

Q. What do I do if an employee is injured?

A.

- Call your medical management group
- DO NOT Instruct/direct medical care
- If it is an emergency, seek emergency care first, then call your medical management group



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FAQ

Q. What do I do if an employee is losing time from work?

A.

- Call adjuster/medical management group immediately
- Fax/Email Form 20, Statement of Earnings, to the adjuster
- Advise the Adjuster if employee is on sick, annual, leave without pay, administrative leave, e.t.
- Fax/Email medical excuse and election form
- If there are work restrictions, tell the adjuster if you can or cannot accommodate.



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FAQ



Q. What if injured worker has not received his check?

A. Call the adjuster

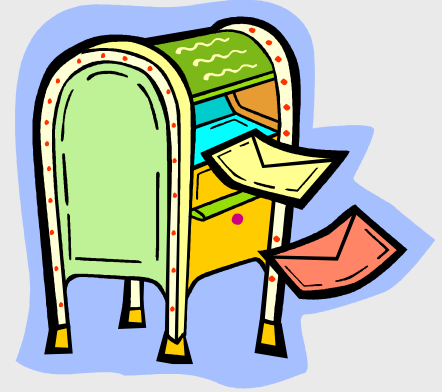
Q. What if the injured worker has another job and is unable to work that job?

A. Notify adjuster as soon as possible.



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FAQ



Q. What if injured worker is receiving bills at his home?

A. Mail bills to State Accident Fund

Q. What if injured worker inquires about unpaid medical bills?

A. Call CorVel at 800-642-5137



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FAQ

Q. What if injured worker needs a prescription?

A. Call your Manage Care Group

Note: Injured worker should not pay for their prescriptions.



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FAQ

Q. What if I get a call from a pharmacy?

A. Give Corporate Pharmacy's toll free number 800-568-3784

NOTE: All SAF injured workers prescriptions are processed thru Corporate Pharmacy.



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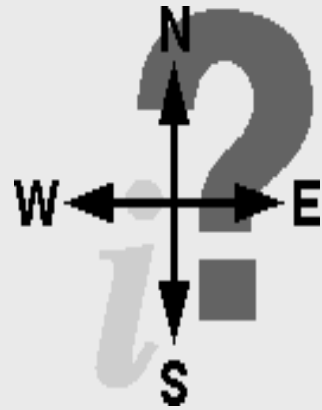
Frequently Asked Question

Q. What if I feel a case needs to be investigated?

A. Advise the nurse or call adjuster, immediately

Q. Who do I call to ask if case is accepted or denied?

A. Adjuster





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FAQ



Q. What are Forms 17 & 19?

A.

- From 17, Receipt of Compensation, is used when an employee has returned to work or is able to return to work after being out of work for more than 150 days
- Form 19, Status Report and Compensation Receipt, is used when an injured worker has settled the claim and the file is closed
- If the injured employee is still employed, and is not represented, these forms will be sent to the employer to obtain their signature and return to the adjuster



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FAQ



Q. Why are Forms 17,19 & 20 important to you, the employer?

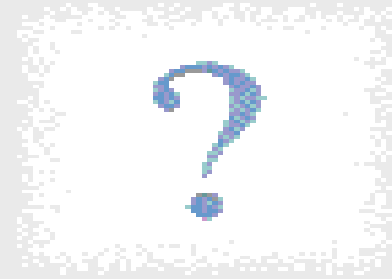
A.

- These forms must be completed and returned timely so that SAF can file timely with the Commission.
- If these forms are not filed timely with the Commission, we can be fined up to \$300 per form each time the form(s) are requested. These fines are part of the claims cost.
- This increased cost to SAF which in-turn increase cost to you, the employer
- Please help us keep unnecessary cost down



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FAQ



Q. Who is Reimbursement Consultants (RCI)?

A. A contract vendor that gathers information to try and get a cases accepted by the Second Injury Fund.

Q. What does RCI need?

A. To determine if the employer, has any knowledge that the injured worker had a previous injury that may affect the current injury.



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FAQ



Q. Who is AON (formerly Subrogation Partners)?

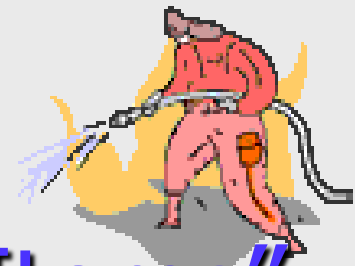
A. A contract vendor that obtains information to assist SAF in recovering from third parties that may have cause or contributed to the worker's injury.

Q. What does AON need?

- A. Information regarding car accidents and other parties that may be responsible.**
- **For example, manufacturers of office equipment, construction work, other possible liable parties, etc.**



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"Summary of Important Items"

- Communications, Communications, Communications..
- Let the adjuster know when the employee returns to work, and if any restrictions and if you can or cannot accommodate.
- Advise of second jobs & if they missed any time from it because of the injury
- Tell the adjuster if you are suspicious about the injury or the claimant
- Return forms timely
- Cooperate and help SAF and our recovery partners, AON and RCI, to maximize recoveries.
- These recoveries reduces claim cost, but does not affect the injured employee benefits



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Stakeholders

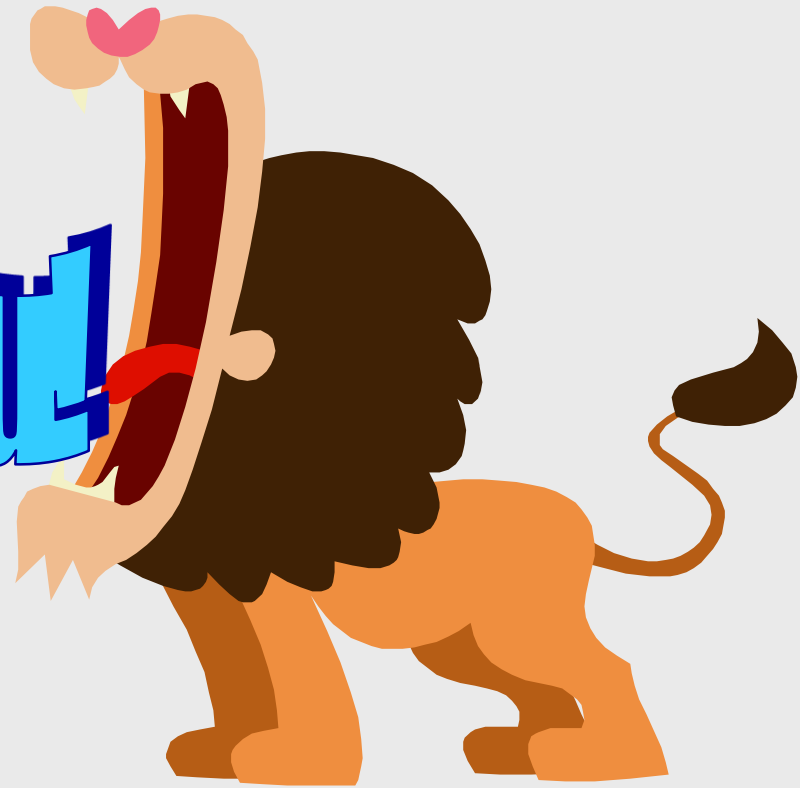
- **Injured Workers**
- **Policyholders**
- **Medical Service Providers**
- **Claims Adjusters**
- **Commission**
- **Attorneys**
- **Vendors**





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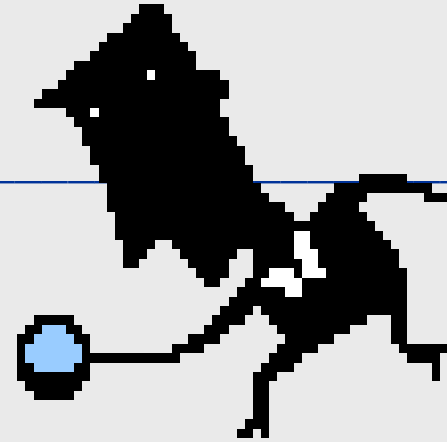
Thank You!



Questions???????



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“Investigations”



*Jim Crosby,
Team Leader/Investigator*



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Investigations



- **Investigators**
 - SAF Investigators
 - Contract Investigators

- **Types of Investigations**
 - Surveillance
 - Employer on site/ Records
 - Death Cases
 - Was the accident work related
 - Dependency
 - Who is depend on the deceased employee
 - Who is entitled to benefits per the WCC Act



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Communications

- We encourage you to communicate with us
 - Contact us if you feel a claim needs investigated
 - Let us know if the injured person has been out of work for unrelated reasons
 - Are there old injuries, medical issues
 - Employee reports a claim after a weekend
- Written Statements
 - When possible get a written statement as soon as the accident occurs or as soon as possible, from injured party and witnesses
 - Detailed description of the accident
 - Time, Location, primary cause
 - Activity that caused the accident
 - When did accident alleged to have happen vs. when reported
 - Were there any witnesses
 - Type injury and body parts



Other Parties



- **Third Parties**
 - Was this a vehicle accident?
 - Who was at fault?
 - Was the accident as a result of equipment failure owned by a third party?
 - Was a third party performing work on the premise that may have caused the accident?
- Please cooperate with SAF's vendors when they investigate these claims
- Recovery from third parties reduce claims cost



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Thanks!!!

SAF



Questions???????

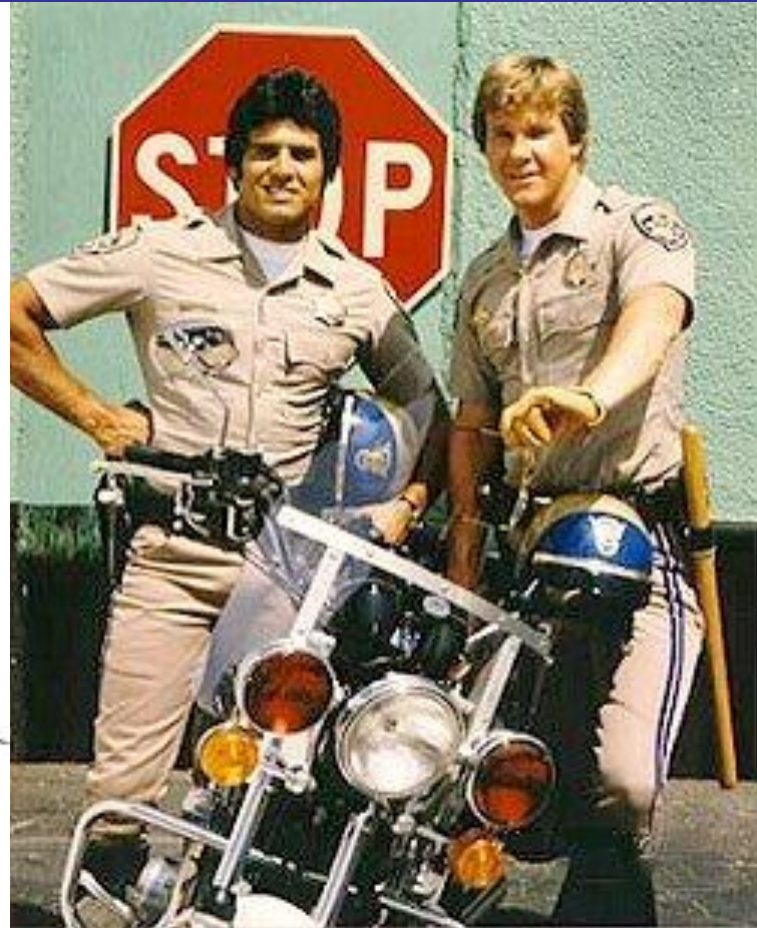
SC STATE ACCIDENT FUND



Workers' Compensation
"Case Makers & Case Breakers"

- Be Proactive: Documentation to Enforcement
- Investigation of the Accident
- Start Defending a Claim Early
- Communication with Adjusters and Attorneys
- Evidence, Witnesses and Documents

Be Proactive: Documentation to Enforcement



Peter P. Leventis
McKay, Cauthen, Settana & Stubley, P.A.
P.O. Box 7217
Columbia, SC 29202
803-256-4645
www.mckayfirm.com

Be Proactive: Documentation to Enforcement

- Have Written Records in the File
- Enforce Safety Standards Vigorously
- An Ounce of Prevention
- People with Specific Knowledge May Not Work There Forever
 - » Reports of Non-Work Related Mechanical Injury
 - » Get Injured Employees to Physicians Early
 - » Do Not Allow Injured Employees to Work
 - » Terms/Nature of Separation of Employees – Signed

Investigation of the Accident



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Investigation of the Accident

- Write Down Information Obtained & Have a File
- Uniformed Response and Information Gathering
- Third Party Witnesses, Name, Contact Information, Reason for Proximity to Claimant or Accident Et Cetera
- Potentially Liable Third Party or Parties (and Carriers)
- Get Witnesses or Co-Employee Statements – Signed
- Talk with All Individuals with Direct Knowledge
- Find out Why the Employee Did Not...
 - Report the Claim in Manner Provided
 - Report the Claim in a Timely Manner
 - Use Safety Equipment/Follow Safety Instruction

Start Defending a Claim Early



Start Defending a Claim Early

- “Doing Right” by an Employee
- If Available, Obtain a ‘Tox’ Screen, Accident Report, Et Cetera
- Applicable W.C.C. Forms (F12-A, 20)
- Avoid the “Domino Effect”
- Correct Inaccuracies Immediately

Communication with Adjusters & Attorneys



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Communication with Adjusters and Attorneys

- Do Not Just Answer Questions Asked (Opposite of Trial Testimony)
- Communicate Early, and If New Information Arises
- Include Information You Think is Important
- Ask the Attorney or Adjuster if Something is Unclear
- More Information Than Just the Accident

Evidence, Witnesses and Documents



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Evidence, Witnesses and Documents

- May Not Be Able to Choose the Employee Representative For a Hearing
- Know What to Expect When Testifying
- Give Responsibility for Legal Matters to the Attorney
- Documents and Evidence are Submitted BEFORE a Hearing
- What Hearings Are and Are Not About

Questions?



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2009 Case Law Update

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Commission Update



**New Executive Director
- Gary M. Cannon**

**New Location
- 1333 Main Street,
Suite 500**



STRESS



- **Stress - Mental Injury/Illness**
 - Normal conditions of employment not enough
 - Generally involve “extreme or severe facts”
 - Stressful job (teaching special education students) not enough to meet burden

HEART ATTACKS



- **Heart Attacks**
 - **Unusual or extraordinary conditions of employment**
 - **Stressful conditions of trip did not equate to unexpected strain or overexertion**

Jordan v. Kelly Company, Inc., S. Ct. filed March 9, 2009

COURSE AND SCOPE OF EMPLOYMENT



- **Deviation from Employment**
 - Employee was assigned to haul asphalt
 - Allowing non-employee to drive dump truck was deviation

Houston v. Deloach & Deloach, Ct. App. Filed June 10, 2008

INTERVENING ACCIDENT



- Original work-related injury occurred 6/14/00
- Claimant reached MMI on 2/15/01
- Claimant fell down stairs at home in 9/02
- Fall at home was an “independent intervening cause sufficient to break the chain of causation”

COURSE AND SCOPE OF EMPLOYMENT



- Out of town trip
- Deviation from employment can be cured or abandoned
- Sleeping is expressly included within the personal comfort doctrine

THANK YOU!





SOUTH CAROLINA STATE ACCIDENT FUND

Website
(www.saf.sc.gov)

What's New

- New secure logins for employer representatives
- Employer monthly and quarterly reports are now available online
- Medical provider search
- Section on fraud
- Safety services area
- Revised employee and classified directories

Employer Reports and Forms

- Employer monthly and quarterly reports are now available online
- Claim search
- Loss summary
- Payment activity report
- Lost time report
- Payroll report

Need a login ID?

- Contact your SAF adjuster, premium auditor or safety representative
- E-mail webmaster@saf.sc.gov or sflowers@saf.sc.gov (include your name, employer name, telephone #, E-mail address, and job title)



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SAFETY AND LOSS CONTROL

Prevention is the Cure

Safety & Loss Control Services

- ❖ **Mock OSHA Inspections**
- ❖ **Training**
- ❖ **Video Library**
- ❖ **Audiometric Testing**
- ❖ **Research**

Mock OSHA Inspections

General Industry Violations

2008

"The Top 10"

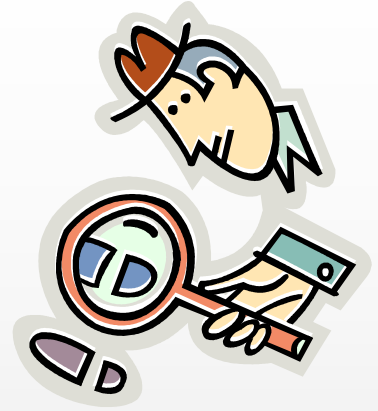


- 1. General Duty**
(Clean, Safe, Work Environment)
- 2. General for all Machines**
(Guarding, Anchoring)
- 3. Wiring Design and Protection**
(Ground Pin, Appliance in damp or wet locations)
- 4. Hazard Communication**
(Training)
- 5. Abrasive Wheel Machinery**
(Tongue Guards)
- 6. Wiring Methods, Components, and equipments of use**
(No covers pull boxes, junctions)
- 7. Wiring Methods,**
(Unused openings in cabinets, boxes, and fittings)
- 8. Hazard Communication**
(No Written Program)
- 9. Lock out/Tag out**
(No annual Periodic Inspection)
- 10. Lock out/Tag out**
(No Lockout/Tag out Program)

Mock OSHA Inspections

General Industry Violations

2008 Other Standards



- ❖ .023 Guarding floor & wall openings, holes (Standard Rails)
- ❖ .219 Guarding vertical and inclined belts (Guarding Specs.)
- ❖ .147 Lock Out/ Tag Out (Procedures Enforcement)
- ❖ .212 Guarding All Machines (Overhead fans under 7')
- ❖ .1200 Hazard Communication (Master List)
- ❖ .334 Use of Equipment (Alter grounding of equipment)

Mock OSHA Inspections

Construction Violations

2008

"The Top 10"



- 1. Scaffolds**
(No guardrails for open sides)
- 2. Aerial Lifts**
(No body belt worn)
- 3. General Duty Clause**
(Safe from recognized hazards)
- 4. Fall Protection**
(Duty to have fall protection)
- 5. Scaffolds**
(No ladder provided for access)
- 6. Excavations**
(Inadequate cave-in protection)
- 7. Hazard Communication**
(No Written Program)
- 8. Scaffolds**
(Platforms not fully decked or flanked)
- 9. Fall Protection**
(Working on steep roofs)
- 10. Hand and Power Tools**
(Guarding of belts, pulleys, etc.)

Common Training Classes



Accident Investigation
Basic Workers Comp
Confined Space
Hearing Conservation
Lockout / Tagout
OSHA 300 Log
Workplace Violence

Back Injury Prevention
BloodBorne Pathogens
General Safety
Heat Stress
Office Safety
Safety Committees
Special Requests

Others upon request

Safety & Loss Control Services

- Mock OSHA Inspections
- Training
- **Video Library**
- **Audiometric Testing**
- **Research**





OUR PRICE??



\$ FREE \$

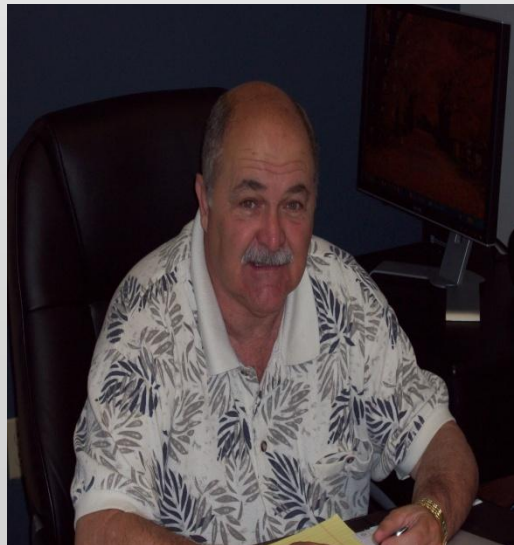


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THANK YOU!